MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2017/2018

PIL0014 – INTRODUCTION TO LAW

(Foundation of Management)

4 JUNE 2018
9.00 a.m. – 11.00 a.m.
(2 hours)

INSTRUCTIONS TO STUDENT:

1. This Question paper consists of 6 pages with 32 questions only.

2. Answer **ALL** questions in Sections A, B and C. The distribution of marks for each question is given.

3. Please write all your answers in the Answer Booklet provided.

SECTION A – TRUE/FALSE QUESTIONS (30 MARKS)

1. The appointment of judges in the Federal Court is made by the Yang di-Pertuan Agong with the advice of Prime Minister after consultation with the Conference of Rulers.

2. Subsidiary legislations are laws enacted by state Parliament made between the period of the Malayan Union 1930 and 10 January 1948.

3. Article 73 of Federal Constitution allows the Parliament to legislate matters listed in both Federal and Concurrent List.

4. Any complaint against a member of Malaysian Institute if Accountants (MIA) must be addressed to the Registrar of MIA in writing supported with a statutory declaration.

5. Mr. Pineapple initiated an action for recovery of debts in Magistrate Court and dissatisfied with the decision of the court. He may file his appeal in the Court of Appeal.

6. Labour Court is a quasi-judicial system which serves as an alternative to civil claims.

7. Acts of Parliament are divided into Principal Act, Amendment Act, Revised Act and Subsidiary Act.

8. The Legislative body comprises of Yang di-Pertuan Agong, Dewan Rakyat and Dewan Negara.

9. English Law in Malaysia is only applicable in the absence of local legislation and the part of English Law which is suitable to the local customs and circumstances of the society in Malaysia.

10. In the final stage of legislative process, Yang di-Pertuan Agong has 20 days to give his assent by having the Public Seal affixed to the bill as affirmed in Article 66(4) of the Federal Constitution.

11. Malaysian law is classified into two categories, written and unwritten law. Decision of the court is an example of written law whilst the National Land Code 1965 is an example of unwritten law.

12. Adat Temenggong recognises patrilineal system which inherits the property of deceased based on the Syariah law.

13. Doctrine of judicial binding precedent in Malaysia only operates horizontally.

14. Civil law deals with the disputes between individuals, organizations or between the two, in which compensation is awarded to the victim.

Continued...

15. Private law is defined as body of legal principle which concerns the rights and duties arising from the impact upon the individual of the actual functioning of the executive instrument of the government.

SECTION B: MULTIPLE CHOICE QUESTIONS (30 MARKS)

16. What is the composition of the Federal Court?
    A. The President of Court of Appeal and 21 judges.
    B. The Chief Justice, the President of the Court of Appeal, Chief Judge of Malaya and Chief Judge of Sabah and Sarawak.
    C. The Chief Justice, the President of the Court of Appeal, Chief Judge of Malaya, Chief Judge of Sabah & Sarawak and seven other judges.
    D. The Chief Justice, the President of the Court of Appeal and seven judges.

17. Hybrid bills are _____.
    A. bills of local and private concern.
    B. bills of public matter which may affect interest of private bodies or persons.
    C. bills of general public interest.
    D. bills of procedures and obligations.

18. What is the definition of enactments?
    A. Laws enacted by State Legislative Assemblies, except for Sarawak.
    B. Laws made under Concurrent List stated in Ninth Schedule of Federal Constitution.
    C. Laws based on theory of natural law.
    D. Laws enacted by the Federal Parliament.

I.	Rules of Adjudication
II.	Rules of Morality
III.	Rules of Change
IV.	Rules of Recognition

Table 1

19. According to Professor H.L.A. Hart, social rules are divided into primary rules and secondary rules. Referring to *Table 1*, secondary rules consist of _____.
    A. I, II and III
    B. I, II and IV
    C. I, III and IV
    D. II, III and IV

20. In appellate jurisdiction of Syariah High Court, the court may hear any appeal by an aggrieved person in any civil cases stated below, **EXCEPT**:
    A. the amount claimed is more than RM1000.
    B. involving any decision as to personal status.
    C. cases relating to maintenance of dependents and where the Syariah Court has given leave to appeal.
    D. handle criminal suits for offence punishable by death.

Continued...

21. Any law passed after Merdeka Day which is inconsistent with the Federal Constitution shall be declared void to the extent of the inconsistency, as affirmed in _____.
    A. Article 4(1) of Federal Constitution
    B. Article 3(1) of Federal Constitution
    C. Article 10(1) of Federal Constitution
    D. Article 8(1) of Federal Constitution

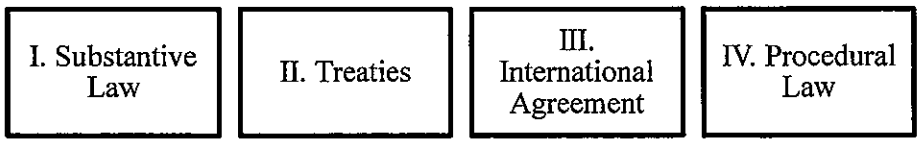
I.	Committee Stage
II.	Second Reading
III.	First Reading
IV.	Pre-Parliamentary Stage
V.	Third Reading

Table 2

22. Based on the list given in *Table 2*, which of the following process is **CORRECT** in approving the government bills in Dewan Rakyat?

A.	V	IV	III	II	I
B.	IV	I	III	II	V
C.	III	II	V	I	IV
D.	IV	III	II	I	V

23. Which of the following statement describes private international law?
    A. Private international law covers the relationships between national governments, the relationships between intergovernmental organisations and the relationships between national governments and intergovernmental organisations.
    B. Private international law governs the relationship of an individual and the state.
    C. Private international law governs the law applicable during conflicts in the municipal law of different nations related to private transactions between those nations.
    D. Private international law is created by custom of a particular locality.



Picture 1

24. With reference to *Picture 1*, which of the following is the **CORRECT** divisions of domestic law?
    A. I and II
    B. II and III
    C. III and IV
    D. I and IV

Continued...

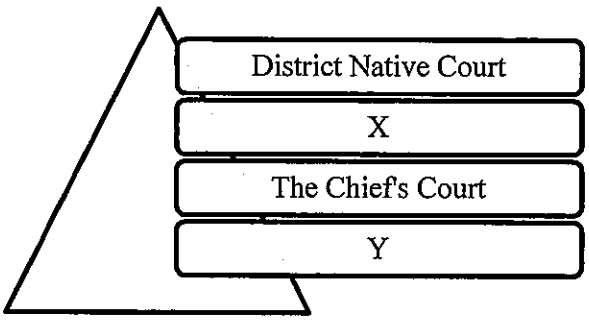
25. What is the jurisdiction of Court of Appeal?
    A. The jurisdiction to determine appeals arising from the decisions of a High Court of a judge.
    B. The power to determine the validity of any law of Parliament or State Assemblies on the grounds that they have no power to legislate.
    C. To make decisions on disputes between state and federal governments.
    D. Hear any appeals from Federal Court only.

I. Al-Qur'an	II. Tauhid	III. Sunnah
IV. Ijma'	V. Qiyas	VI. Tajwid

Table 3

26. Based on the lists given in *Table 3*, which of the following are **CORRECT** sources of Islamic Law?
    A. I, II, III and IV
    B. I, II, IV and V
    C. I, III, V and VI
    D. I, III, IV and V

27. Mr. Blueberry entered into a contract with Mr. Watermelon for a supply of grinding machines. It was agreed by both parties that the machines will be delivered in April 2018. Due to shortage of manpower, the contract was unable to be completed. Mr. Blueberry wants to sue for RM1,500,000.00 for breach of contract. Which of the following court is appropriate for him to initiate his action?
    A. Sessions Court
    B. Court for Children
    C. High Court
    D. Small Claims Court



Picture 2

28. With reference to *Picture 2*, which of the following is **CORRECT** answer to X and Y for Sarawak Native Courts exercising original jurisdiction?

	X	Y
A.	Native High Court	Native Court of Appeal
B.	The Chief's Superior Court	Headman's Court
C.	Buapak Court	Temenggung Court
D.	Resident's Native Court	Native Court of Appeal

Continued...

29. Ahmad Beetroot wants to sue Guava to recover his debts amounting RM4,250.00. Which of the following court has the appropriate jurisdiction to try the matter?
    A. Small Claims Court
    B. Martial Court
    C. Industrial Court
    D. Court of Appeal

30. All of the following statements describes the powers vested in the Conference of Rulers, **EXCEPT**:

    A. The Conference of Rulers has power to dismiss the Yang di-Pertuan Agong.
    B. If the Yang di-Pertuan Agong or a Ruler is to be tried in a court under Article 182 of Federal Constitution, the Conference of Rulers has the authority to appoint two out of the five judges of the Special Court.
    C. The Conference of Rulers has power to control the executive, legislative and judiciary.
    D. The Conference of Rulers has the power to veto federal legislation on several critical and sensitive issues.

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SECTION C: STRUCTURED QUESTIONS (40 MARKS)

31. Law is classified into two, namely private law and public law. Explain the coverage of public law within the context of Malaysian law.

(20 marks)

32. Explain the following:

(i) Composition of Magistrate Courts

(8 marks)

(ii) Jurisdiction of First Class Magistrate

(12 marks)

[Total: 100 marks]

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